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14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NEVADA

16 TEMSA ULASIM ARACLARI SANAYI  
17 VE TICARET A.S.,

18 Plaintiff,

19 vs.

20 TC NEVADA, LLC, MICHAEL  
HAGGERTY, JOHN P. HAGGERTY,  
21 AND OLGA F. HAGGERTY,

22 Defendants.  
23

Case No. 2:18-cv-01738-APG-EJY

**STIPULATION TO EXTEND  
DEADLINE FOR DISPOSITIVE  
MOTIONS**

**(ELEVENTH REQUEST)**

1 Pursuant to LR IA 6-1 and LR 26-3, the Parties stipulate and agree to  
2 extend the deadlines set forth in the current Discovery Plan and Scheduling Order  
3 (ECF 113, filed October 29, 2024), subject to the Court's approval. Specifically, the  
4 Parties respectfully request an eleven (11) day extension, to file their respective  
5 dispositive motions from December 30, 2024 to Friday January 10, 2024.

6 The Parties represent that good cause exists for this limited deadline for  
7 an additional ten days.

8 As of this date the Plaintiff has noticed and completed the additional  
9 depositions of Shawn Mackin, Steve Sacamos and Martin Barrett.

10 Both parties and their respective trial counsel seek this short extension  
11 due to intervening events. Plaintiff's lead counsel and this team are involved in the  
12 pretrial preparation in the subject *Cappello Global LLC v. Temsa* matter (DocketNo.  
13 2:19-cv-10710-MEMF-KS (C.D. Dist. Dec. 18, 20218). Defendant's lead trial  
14 counsel has encountered a staffing problem with the holiday season and his personal  
15 secretary taking a medical leave during the last week in December 2024 from  
16 December 26<sup>th</sup> through December 31<sup>st</sup>.

## 16 I. INTRODUCTION

17 As this Court is aware, while this matter was commenced in 2018, it  
18 was stayed for a period of more than three (3) years between January 16, 2020, until  
19 February 27, 2023, in hope that the conclusion of a then-pending and now complete  
20 arbitration, together with a separate case involving parties from both sides in the  
21 United States District Court for the Central District of California,<sup>1</sup> may obviate the  
22

23 <sup>1</sup> *Cappello Global, LLC v. Temsa Ulasim Araclari Sanayi Ve Ticaret A.S. et al*, Docket No. 2:19-cv-10710-MEMF-KS (C. D. Cal. Dec. 18, 2018).

1 need to proceed with this matter in its entirety. *See* ECF No. 48. When it became  
2 apparent that the arbitration would not resolve the issues in this dispute, the Parties  
3 requested that the stay here be lifted. *See* ECF No. 64. After the Court lifted its stay  
4 (ECF No. 65), the Parties diligently proceeded with discovery, and have requested  
5 seven extensions of the scheduling order—all of which have been granted upon a  
6 showing of good cause, including the substitution of new defense counsel. *See* ECF  
7 Nos. 77, 84, 88, 99, 101, 104, and 113. While this stipulation is the Parties' eleventh  
8 request for an extension of time, three of the prior requests for an extension pre-date  
9 the stay in this case. *See* ECF Nos. 37, 44, & 46 . Moreover, the parties have taken  
10 all remaining depositions and do not anticipate extending the discovery deadline.

## 11 **II. PRIOR DISCOVERY COMPLETED**

12 The Parties have been working diligently to complete discovery, as  
13 demonstrated below:

- 14 • Plaintiff served its Initial Disclosures on January 25, 2019;
- 15 • Defendants served their Initial Disclosures on January 25, 2019;
- 16 • Defendants served their First Supplement to Initial Disclosures on  
17 March 19, 2019;
- 18 • Defendants served their First Set of Interrogatories and First Set of  
19 Request for Production of Documents on March 19, 2019;
- 20 • Plaintiff served its First Set of Interrogatories and First Set of Requests  
21 for Production of Documents on April 9, 2019;
- 22
- 23

- 1 • Plaintiff served its Responses to Defendants' First Set of
- 2 Interrogatories and First Set of Requests for Production of Documents
- 3 on May 22, 2019;
- 4 • Plaintiff served its First Supplement to Initial Disclosures on May 22,
- 5 2019;
- 6 • Defendants served their Second Supplement to Initial Disclosures on
- 7 June 14, 2019;
- 8 • Defendants served their Responses to Plaintiff's First Set of
- 9 Interrogatories and First Set of Requests for Production of Documents
- 10 on June 23, 2019;
- 11 • Defendant John P. Haggerty served his Second Set of Interrogatories,
- 12 First set of Requests for Admissions, and First Set of Requests for
- 13 Production of Documents to Plaintiff on July 19, 2019;
- 14 • Defendants served their Third Supplement to Initial disclosures on July
- 15 19, 2019;
- 16 • Defendants served their Fourth Supplement to Initial Disclosures on
- 17 July 26, 2019;
- 18 • Plaintiff served its Responses to John P. Haggerty's Second Set of
- 19 Interrogatories; First Set of Requests for Admissions, and First Set of
- 20 Requests for Production of Documents to Plaintiff on October 8, 2019;
- 21 • Defendant John P. Haggerty served his Second Set of Requests for
- 22 Admissions and Second Set of Requests for Production of Documents.
- 23

- 1 • Defendants served their Fifth Supplement to Initial Disclosures on
- 2 November 14, 2019;
- 3 • Plaintiff served its responses to John Haggerty's Request for
- 4 Admissions and Second Set of Request for Production of Documents
- 5 on December 2, 2019;
- 6 • John P. Haggerty served his Third Set of Request for Production of
- 7 Documents on March 20, 2023;
- 8 • Plaintiff served its responses to John P. Haggerty's Third Set of
- 9 Requests for Production of Documents on April 19, 2023; and
- 10 • Defendants served their Sixth Supplement to Initial Disclosures on
- 11 May 31, 2023;
- 12 • Defendants served their Seventh Supplement to Initial Disclosures on
- 13 December 11, 2023;
- 14 • Defendant TC Nevada, LLC served its Second Interrogatories on
- 15 December 12, 2023;
- 16 • Plaintiff served its Second Supplement to Initial Disclosures on
- 17 December 19, 2023;
- 18 • Plaintiff served its Responses to Defendant TC Nevada, LLC's Second
- 19 Set of Interrogatories on January 12, 2023;
- 20 • Plaintiff served its Disclosure of Expert Witness Fatih Kozan on
- 21 January 10, 2024;
- 22 • Plaintiff served its Disclosure of Expert Witness Randy Angell on
- 23 January 10, 2024;

- 1 • Defendants served their Designation of Expert Witnesses on January
- 2 10, 2024;
- 3 • Defendants served their Eighth Supplement to Initial Disclosures on
- 4 February 20, 2024;
- 5 • This Court granted in part and denied in part Plaintiff's Motion to
- 6 Strike Defendants' Expert Witness Testimony and Reports (ECF No.
- 7 97 filed on April 30, 2024);
- 8 • Defendants served their Ninth Supplement to Initial Disclosures on
- 9 July 18, 2024; and
- 10 • The Parties have deposed the following individuals: Olga Haggerty,
- 11 John Haggerty, Michael Haggerty in his capacity as TC Nevada's
- 12 30(b)(6) representative, Karl Schulze, Duane Geiger, Randy Angell,
- 13 Cem Yazmanoglu, Temsa's 30(b)(6) representative, Hakan Koralp,
- 14 Shawn Haggerty, Steve Sacamos, and Martin Barrett.

### 15 **III. DISCOVERY NOW COMPLETED.**

16 As discussed *supra*, the parties have completed the additional  
 17 depositions which were at issue on the prior Tenth Stipulated Extension.

### 18 **IV. PROPOSED SCHEDULE**

19 Dispositive Motions	January 10, 2025
20 Joint Pre-Trial Order	Sixty (60) days after the Court's
21	ruling on all dispositive motions

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23 ///

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4 **V. CONCLUSION**

5 Based upon the foregoing, the Parties respectfully request that this

6 Court issue an Order extending the deadline for dispositive motions. This will not

7 have a significant delay on the anticipated Joint Pretrial Order.

8 Dated this 26th day of Nov. 2024      Dated this 26<sup>th</sup> day of Nov. 2024

9 McCARTER & ENGLISH, LLP

GORDON REES SCULLY  
MANSUKHANI, LLP

10 By: /s/ James E. Regan

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Attorney for Defendants

15 Attorneys for Plaintiff

16 IT IS SO ORDERED this 27th day of November, 2024.

17 

18 ELAYNA J. YOUCHAK

19 UNITED STATES MAGISTRATE JUDGE